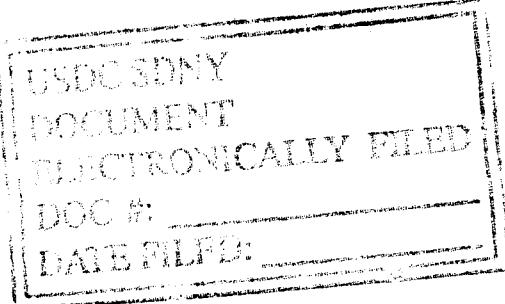


DAY PITNEY LLP



DOREEN KLEIN
Attorney at Law
T: (203) 977 7595
E: DKlein@DayPitney.com

January 30, 2007

VIA FACSIMILE (914) 390-4152 AND (212) 805-6326

Honorable Colleen McMahon
United States District Judge
United States Courthouse
300 Quarropas Street, Room 533
White Plains, NY 10601-4150

1/31/07
granted

Re: *United States v. James Marquez*
7:06-cr-01138 (CM)

Dear Judge McMahon:

We are counsel for defendant James G. Marquez in this matter.

I am writing to request that the Court modify Mr. Marquez's bail conditions to permit him to travel to Little Rock, Arkansas during the period February 6, 2007 through and including February 9, 2007. Mr. Marquez has been asked to testify as a witness in the case of *Thermoenergy Corporation v. Carl H. Sangree*, CV 06-9833 (TF), currently pending in the Circuit Court of Pulaski County, Arkansas, Sixth Judicial District, as a related third party action to the case of *Rock Capital, LLC v. Thermoenergy Corporation, et al.* (same docket number).

Mr. Marquez's current bail conditions provide that his travel is restricted to the states of New York, New Jersey and the six New England states. Mr. Marquez has surrendered his passport.

I have spoken with Assistant United States Attorney Margery Feinzig who is in charge of this prosecution, and she has no objection to this request.

Respectfully submitted,

Doreen Klein (DK-4982)

cc: AUSA Margery Feinzig (via facsimile and e-mail)

7138031.1 054727.00000
Copies mailed/handed/faxed to counsel 1/31/07 One Canterbury Green Stamford, CT 06901
T: (203) 977 7300 F: (203) 977 7301 w: DayPitney.com